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Inventor ..... Anoop Gupta et al.
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Title: Interactive Playlist Generation Using Annotations

APPEAL BRIEF

To: Commissioner for Patents
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Pursuant to 37 C.F.R. §41.37, Applicant hereby submits an appeal brief for application 09/396,702, filed September 15, 1999, within the requisite time from the date of filing the Notice of Appeal. Accordingly, Applicant appeals to the Board of Patent Appeals and Interferences seeking review of the Examiner's rejections.

(1) Real Party in Interest

The real party in interest is Microsoft Corporation, the assignee of all right, title and interest in and to the subject invention.

(2) Related Appeals and Interferences

Appellant is not aware of any other appeals, interferences, or judicial proceedings which will directly affect, be directly affected by, or otherwise have a bearing on the Board's decision to this pending appeal.

(3) Status of Claims

Claims 1-6, 12, 13, and 28-91 stand rejected and are pending in this Application. Claims 1-6, 12, 13, and 28-91 are appealed. Some of claims 1-6, 12, 13, and 28-91 were previously amended. Claims 7-11 and 14-27 were previously canceled. Claims 1-6, 12, 13, and 28-91 are set forth in the Appendix of Appealed Claims on page 26.

(4) Status of Amendments

A Final Office Action was issued on March 23, 2004.

A Response to the Final Office Action was filed May 19, 2004. Some claim amendments were made as part of this Response.

An Advisory Action was issued on August 23, 2004, indicating that the reply failed to place the application in condition for allowance, and indicating that for purposes of Appeal the proposed amendments would not be entered.

Appellant filed a Notice of Appeal on September 21, 2004 in response to the Advisory Action and the Final Office Action.

(5) Summary of Claimed Subject Matter

A concise explanation of each of the independent claims is included in this Summary section, including specific reference characters. These specific reference characters are examples of particular elements of the drawings for certain embodiments of the claimed invention, and the claims are not limited to solely the elements corresponding to these reference characters.

With respect to independent claim 1, as discussed for example at page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30, line 6 through page 31, line 19, and page 34, line 4 through page 35, line 3, one or more computer-readable media contain a computer program for annotating streaming media, wherein the program performs steps including creating annotations (180, 192) interactively with a user, wherein the annotations correspond to identified segments (184) of one or more media streams (200). The steps further include graphically ordering the annotations in a desired order of presentation in response to user input (410, 402) and, in response to a user instruction, sequentially presenting the annotations along with their corresponding identified media stream segments in the desired order of presentation (514).

With respect to independent claim 12, as discussed for example at page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30, line 6 through page 31, line 19, and page 34, line 1 through page 35, line 3, a method includes receiving (502) an indication of a plurality of annotations

selected by a user, wherein each of the plurality of annotations corresponds to a media stream or to one or more media streams, and presenting (506) a plurality of annotation identifiers to the user. The method further includes allowing the ordering of the plurality of annotation identifiers to be changed by the user (410, 402), and seamlessly providing (514) one or more of, the plurality of annotations, and at least a portion of the media stream corresponding to each of the plurality of annotations, wherein the seamlessly providing comprises seamlessly providing the one or more of the plurality of annotations and the portion of the media stream corresponding to each of the plurality of annotations in an order defined by the order of the plurality of annotation identifiers.

With respect to independent claim 28, as discussed for example at page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30, line 6 through page 31, line 19, and page 34, line 1 through page 35, line 3, one or more computer-readable storage media contain a program having instructions that are executable by a computer to perform steps comprising configuring a first portion (402) of a user interface to display a plurality of identifiers corresponding to a plurality of annotations, the plurality of identifiers corresponding to a playlist of media segments to be seamlessly presented to a user. The steps further include reordering the plurality of identifiers in accordance with user input (410, 402) to change the order in which the media segments are to be presented.

With respect to independent claim 34, as discussed for example at page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30, line 6 through page 31, line 19, and page 34, line 4 through page 35, line 3, 34, a method includes graphically ordering annotations in a desired order of

presentation in response to user input (410, 402), wherein the annotations correspond to identified segments (184) of one or more media streams (200). The method further includes, in response to a user instruction, sequentially presenting the annotations along with their corresponding identified media stream segments in the desired order of presentation (514).

With respect to independent claim 38, as discussed for example at page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30, line 6 through page 31, line 19, and page 34, line 1 through page 35, line 3, a method includes configuring a first portion (402) of a user interface to display a plurality of identifiers corresponding to a plurality of annotations, the plurality of identifiers corresponding to a playlist of media segments to be seamlessly presented to a user. The method further includes reordering the plurality of identifiers in accordance with user input (410, 402) to change the order in which the media segments are to be presented.

With respect to independent claim 42, as discussed for example at page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30, line 6 through page 31, line 19, and page 34, line 4 through page 35, line 3, a method includes graphically ordering annotations in a desired order of presentation in response to user input (410, 402), wherein the annotations correspond to identified segments (184) of one or more media streams (200). The method further includes, in response to a user instruction, sequentially presenting the annotations in the desired order of presentation (514).

With respect to independent claim 43, as discussed for example at page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30,

line 6 through page 31, line 19, and page 34, line 4 through page 35, line 3, a method includes graphically ordering annotations in a desired order of presentation in response to user input (410, 402), wherein the annotations correspond to identified segments (184) of one or more media streams (200). The method further includes, in response to a user input, sequentially presenting the identified media segments corresponding to the annotations in the desired order of presentation (514).

With respect to independent claim 44, as discussed for example at page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30, line 6 through page 31, line 19, and page 34, line 1 through page 35, line 3, a system includes means for configuring a first portion (402) of a user interface to display a plurality of identifiers corresponding to a plurality of annotations, the plurality of identifiers corresponding to a playlist of media segments to be seamlessly presented to a user. The system further includes means for reordering the plurality of identifiers in accordance with user input (410, 402) to change the order in which the media segments are to be presented.

With respect to independent claim 44, the means for configuring and the means for reordering can be, for example, a computer (15, 20) or instructions (35, 36, 37) as discussed at page 7, line 17 through page 11, line 10. The means for configuring and the means for recording can also be other components, such as an interface (150) or annotation back end (132) as discussed at page 11, line 13 through page 14, line 5.

With respect to independent claim 48, as discussed for example at page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30,

line 6 through page 31, line 19, and page 34, line 4 through page 35, line 3, a method includes creating annotations (180, 192) interactively with a user, wherein the annotations correspond to identified segments (184) of one or more media streams (200). The method further includes graphically ordering the annotations in a desired order of presentation in response to user input (410, 402), and, in response to a user instruction, sequentially presenting the annotations along with their corresponding identified media stream segments in the desired order of presentation (514).

With respect to independent claim 52, as discussed for example at page 7, line 17 through page 11, line 10, page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30, line 6 through page 31, line 19, and page 34, line 4 through page 35, line 3, a system includes a processor (21) and a memory (22) configured to store a plurality of instructions for execution by the processor. The instructions cause the system to create annotations (180, 192) interactively with a user, wherein the annotations correspond to identified segments (184) of one or more media streams (200). The instructions further cause the system to graphically order the annotations in a desired order of presentation in response to user input (410, 402) and, in response to a user instruction, sequentially present the annotations along with their corresponding identified media stream segments in the desired order of presentation (514).

With respect to independent claim 54, as discussed for example at page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30, line 6 through page 31, line 19, and page 34, line 4 through page 35, line 3, a method includes receiving (508, 510) an indication of a plurality of annotations

(180, 192) selected by a user, wherein each of the plurality of annotations corresponds to a media stream or to one or more media streams (200). The method further includes seamlessly providing (514), in an order which is identified by the user and can be changed by the user, one or more of, the plurality of annotations, and at least a portion of the media stream corresponding to each of the plurality of annotations.

With respect to independent claim 63, as discussed for example at page 11, line 13 through page 14, line 5, page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30, line 6 through page 31, line 19, and page 34, line 4 through page 35, line 3, a system includes an annotation database (17, 18) that stores one or more collections of annotations (180, 192), wherein each of the annotations identifies at least a segment (184) of a media stream (200). The system further includes an annotation module (132) to control storage and retrieval of the plurality of annotations, wherein the annotation module is configured to perform steps including retrieving a particular collection of annotations from the annotation database, presenting the annotations of the retrieved collection to a user in an order which is input by the user and which can be changed by the user (410, 412), and managing sequential presentation (514) to the user of the media stream segments corresponding to the presented annotations.

With respect to independent claim 73, as discussed for example at page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30, line 6 through page 31, line 19, and page 34, line 4 through page 35, line 3, a method includes receiving (508, 510) an indication of particular user-selected annotations of a plurality of annotations (180, 192), wherein each of the plurality

of annotations corresponds to a media stream or to one or more media streams (200). The method further includes seamlessly providing (514) one or more of, the user-selected annotations, and at least a portion of the media stream corresponding to each of the user-selected annotations.

With respect to independent claim 82, as discussed for example at page 11, line 13 through page 14, line 5, page 13, line 13 through page 14, line 5, page 21, line 11 through page 24, line 19, page 30, line 6 through page 31, line 19, and page 34, line 4 through page 35, line 3, a system includes an annotation database (17, 18) that stores one or more collections of annotations (180, 192), wherein each of the annotations identifies at least a segment (184) of a media stream (200). The system further includes an annotation module (132) to control storage and retrieval of the plurality of annotations, wherein the annotation module is configured to perform steps including retrieving a particular collection of annotations from the annotation database, presenting the annotations of the retrieved collection to a user (410, 412), and managing sequential presentation (514) to the user of the media stream segments corresponding to the presented annotations.

(6) Grounds of Rejection to be Reviewed on Appeal

Claims 1-6, 12-13, and 28-91 stand rejected under 35 U.S.C. §102(e) as being anticipated by "Towards Intelligent Recognition of Multimedia Episodes in Real-Time Applications" 1994 ACM 0-89791-686-7/94/0010 by Gabbe et al. (hereinafter "Gabbe").

Applicant notes that claims 1-6, 12-13, and 28-91 were previously rejected under the judicially created doctrine of obviousness-type double patenting as being

unpatentable over claims 1-18 of U.S. Patent No. 6,006,241 to Purnaveja et al., claims 1-18 of U.S. Patent No. 6,230,172 to Purnaveja et al., claims 1-39 of U.S. Patent No. 6,173,317 to Chaddha et al., and claims 1-25 of U.S. Patent No. 6,484,156 to Gupta et al. Terminal disclaimers have been submitted to overcome these obviousness-type double patenting rejections.

(7) Argument

A. Rejection under 35 U.S.C. §102(e) over "Towards Intelligent Recognition of Multimedia Episodes in Real-Time Applications" 1994 ACM 0-89791-686-7/94/0010 by Gabbe et al.

Claims 1-6, 12-13, and 28-91 stand rejected under 35 U.S.C. §102(e) as being anticipated by "Towards Intelligent Recognition of Multimedia Episodes in Real-Time Applications" 1994 ACM 0-89791-686-7/94/0010 by Gabbe et al. (hereinafter "Gabbe").

Gabbe is directed to automatically generating indexes of real-time streams without requiring deep content analysis (see, Abstract). For each type of recorded system element (applications, users, video streams, audio streams, and communications & control), a set of machine identifiable events or conditions called triggers is specified (see, p. 228, middle of col. 1; and Figure 1). These triggers are events or conditions whose occurrence causes the recording system to create a record describing some aspects of the current state of the corresponding element (see, p. 228, middle of col. 1). These records contain an IER (Iconic Episode Representative) associated with the event (see, Figure 1). The IERs are

mouse-sensitive icons that are symbolic or visual (see, p. 229, bottom of col. 1 and top of col. 2).

By putting sequences of related IERs into a structure – such as a linear array – one can provide a rudimentary "visual map" of the history of an interaction (see, p. 229, middle of col. 1). Such a Table of IERs, or TIER, gives a visually oriented outline of a complex series of episodes (see, p. 229, middle of col. 1), where episodes refer to a "unit of meaning" that exists as a distinguishable part of a large, multi-faceted, temporally extended entity, such as a meeting, a lecture, or an interactive game (see, p. 227, top of col. 2).

The TIERs are used in conjunction with a query-based information retrieval interface to provide multimodal retrieval capabilities (see, p. 232, bottom of col. 1). A recording agent builds a TIER for a conference and an index of all the text, control, and event information that can be obtained (see, p. 232, top of col. 2).

Generating the TIER is discussed on page 233, top of col. 1, as follows:

> To generate a TIER, the recording agent has a number of processes that monitor each media stream and automatically partition them into self-contained units based on the contents. The recording agent then generates a icon of 160x120 pixels summarizing each visually-oriented episode. For video, the icon is a snapshot taken from the stream itself. The agent builds the TIER in real-time, and makes it immediately available to participants for browsing through the meeting and replaying earlier sections of the meeting. This is particularly useful for late joiners. By default, the visible part of a TIER always contains the most recently generated icons. However, the user may scroll back and forth in it and peruse any segment by clicking on an IER. In addition, the user may select any IER and annotate it with text using the annotation facility (see Figure 5).

1. Claims 1-6, 34-37, 42, 43, 48-51, and 52-53

In contrast to Gabbe, claim 1 is directed to one or more computer-readable media containing a computer program for annotating streaming media, wherein the program performs steps comprising:

> creating annotations interactively with a user, wherein the annotations correspond to identified segments of one or more media streams;
>
> graphically ordering the annotations in a desired order of presentation in response to user input; and
>
> in response to a user instruction, sequentially presenting the annotations along with their corresponding identified media stream segments in the desired order of presentation.

Applicant respectfully submits that Gabbe does not disclose graphically ordering the annotations in a desired order of presentation in response to user input as recited in claim 1.

As discussed above, Gabbe mentions that a user may select an IER and annotate it with text using an annotation facility. However, as discussed above, these IERs are associated with events or conditions whose occurrence causes the recording system to create a record describing some aspects of the current state of the corresponding element. The order of the IERs is driven by these events or conditions, and it is these IERs that Gabbe mentions may be annotated by a user. The ordering of any annotations that may be generated in response to the user annotating an IER will be based on the ordering of the IERs, not on any desired order of presentation.

In other words, there is nothing in Gabbe that discloses that annotations can be ordered in any desired order. There is nothing in Gabbe that discloses that annotations can be placed in any order other than the order of the IERs.

In the March 23 Final Office Action at page 3, the following portion of Gabbe is cited (spanning p. 229, bottom of col. 2 to p. 230, top of col. 1):

> As discussed in the subsequent section on multimedia-conference-recording application, the icons may be presented to the user as a film strip (iconic slider) through which the user can scroll or jump (see Figure 2). Since each IER is associated with a Last_Record_Generated vector, a user can redisplay all or part of the entire state of the recorded system associated with the icon by "selecting" it. The icons also serve as easily identifiable anchor points for attaching annotations, control events, and index records to episodes.

It was also asserted in the March 23 Final Office Action at pages 3-4 that:

> The IERs are displayed in some kind of window, allowed by window system (Figure 2) (e.g. Microsoft windows programming, Motif GUI standards in UNIX or Java GUI standard). Dragging is allowed by all of the above GUI standards. Therefore a user can drag the icons to reorient them along the desired sequence and replay the interesting portion/clips of the conference in the desired order. User also can select particular icons by using a mouse. Dragging visual entities in a window is a very basic feature of a GUI window.

Thus, it appears that the March 23 Final Office Action is asserting that because dragging is allowed in various GUI standards, the user can drag the icons in Gabbe to reorient them along the desired sequence and replay the interesting portion/clips of the conference in the desired order. Applicant respectfully submits that nothing in Gabbe discloses any such notion. Nowhere in Gabbe is there any mention or discussion of a user being able to reorient or drag such icons. Without such mention or discussion, Applicant respectfully submits that Gabbe cannot disclose graphically ordering the annotations in a desired order of presentation in response to user input as recited in claim 1.

MPEP §2131 states that, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described,

in a single prior art reference," *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully submits that the rejection of claim 1 does not meet this standard. As there is not even a mention in Gabbe of graphically ordering the annotations in a desired order of presentation in response to user input, much less a description of graphically ordering the annotations in a desired order of presentation in response to user input, Applicant respectfully submits that the standard for anticipation under 35 U.S.C. §102 is not satisfied by Gabbe with respect to claim 1.

Thus, for at least these reasons, Applicant respectfully submits that claim 1 is allowable over Gabbe.

Regarding claim 34, Applicant respectfully submits that, similar to the discussion above regarding claim 1, Gabbe does not disclose or suggest graphically ordering annotations in a desired order of presentation in response to user input, wherein the annotations correspond to identified segments of one or more media streams; and in response to a user instruction, sequentially presenting the annotations along with their corresponding identified media stream segments in the desired order of presentation as recited in claim 34. Thus, for at least these reasons, Applicant respectfully submits that claim 34 is allowable over Gabbe.

Regarding claim 42, Applicant respectfully submits that, similar to the discussion above regarding claim 1, Gabbe does not disclose or suggest graphically ordering annotations in a desired order of presentation in response to user input, wherein the annotations correspond to identified segments of one or more media streams; and in response to a user instruction, sequentially presenting the annotations in the desired order of presentation as recited in claim 42. Thus,

for at least these reasons, Applicant respectfully submits that claim 42 is allowable over Gabbe.

Regarding claim 43, Applicant respectfully submits that, similar to the discussion above regarding claim 1, Gabbe does not disclose or suggest graphically ordering annotations in a desired order of presentation in response to user input, wherein the annotations correspond to identified segments of one or more media streams; and in response to a user input, sequentially presenting the identified media segments corresponding to the annotations in the desired order of presentation as recited in claim 43. Thus, for at least these reasons, Applicant respectfully submits that claim 43 is allowable over Gabbe.

Regarding claim 48, Applicant respectfully submits that, similar to the discussion above regarding claim 1, Gabbe does not disclose or suggest graphically ordering the annotations in a desired order of presentation in response to user input; and in response to a user instruction, sequentially presenting the annotations along with their corresponding identified media stream segments in the desired order of presentation as recited in claim 48. Thus, for at least these reasons, Applicant respectfully submits that claim 48 is allowable over Gabbe.

Regarding claim 52, Applicant respectfully submits that, similar to the discussion above regarding claim 1, Gabbe does not disclose or suggest a plurality of instructions that cause a system to graphically order the annotations in a desired order of presentation in response to user input; and in response to a user instruction, sequentially present the annotations along with their corresponding identified media stream segments in the desired order of presentation as recited in

claim 52. Thus, for at least these reasons, Applicant respectfully submits that claim 52 is allowable over Gabbe.

Given that claims 2-6 depend from claim 1, claims 35-37 depend from claim 34, claims 49-51 depend from claim 48, and claim 53 depends from claim 52, Applicant respectfully submits that claims 2-6, 35-37, 49-51, and 53 are likewise allowable over Gabbe for at least the reasons discussed above regarding their respective independent base claims.

2. Claim 12

With respect to claim 12, Applicant respectfully submits that Gabbe does not disclose allowing the ordering of the plurality of annotation identifiers to be changed by the user as recited in claim 12.

Applicant respectfully submits that, similar to the discussion above regarding claim 1, there is no ordering of annotation identifiers that can be changed by the user in Gabbe. As discussed above, the TIER of Gabbe gives a visually oriented outline of a complex series of episodes, but nowhere does Gabbe have any discussion that the user can change the ordering of episodes in the TIER, much less change the ordering of annotation identifiers. Furthermore, nowhere in Gabbe is there any mention that one or more of a plurality of annotations and a portion of the media stream corresponding to each of the plurality of annotations is provided in an order defined by the user-changeable ordering of annotation identifiers as recited in claim 12.

Thus, for at least these reasons, Applicant respectfully submits that claim 12 is allowable over Gabbe.

Given that claim 13 depends from claim 12, Applicant respectfully submits that claim 13 is likewise allowable over Gabbe for at least the reasons discussed above regarding claim 12.

3. Claims 28-33, 38-41, and 44-47

Regarding claim 28, Applicant respectfully submits that Gabbe does not disclose or suggest reordering the plurality of identifiers in accordance with user input to change the order in which the media segments are to be presented as recited in claim 28. As discussed above with respect to claim 12, there is no ordering of annotation identifiers that can be changed by the user in Gabbe. As such, Applicant respectfully submits that Gabbe cannot disclose or suggest reordering a plurality of identifiers corresponding to a plurality of annotations in accordance with user input to change the order in which the media segments are to be presented as recited in claim 28.

Thus, for at least these reasons, Applicant respectfully submits that claim 28 is allowable over Gabbe.

Regarding claim 38, Applicant respectfully submits that, similar to the discussion above regarding claim 28, Gabbe does not disclose or suggest configuring a first portion of a user interface to display a plurality of identifiers corresponding to a plurality of annotations, the plurality of identifiers corresponding to a playlist of media segments to be seamlessly presented to a user; and reordering the plurality of identifiers in accordance with user input to change the order in which the media segments are to be presented as recited in claim 38.

Thus, for at least these reasons, Applicant respectfully submits that claim 38 is allowable over Gabbe.

Regarding claim 44, Applicant respectfully submits that, similar to the discussion above regarding claim 28, Gabbe does not disclose or suggest means for configuring a first portion of a user interface to display a plurality of identifiers corresponding to a plurality of annotations, the plurality of identifiers corresponding to a playlist of media segments to be seamlessly presented to a user; and means for reordering the plurality of identifiers in accordance with user input to change the order in which the media segments are to be presented as recited in claim 44. Thus, for at least these reasons, Applicant respectfully submits that claim 44 is allowable over Gabbe.

Given that claims 29-33 depend from claim 28, claims 39-41 depend from claim 38, and claims 45-47 depend from claim 44, Applicant respectfully submits that claims 29-33, 39-41, and 45-47 are likewise allowable over Gabbe for at least the reasons discussed above regarding their respective independent base claims.

4. Claims 54-58, 60-67, and 70-72

Regarding claim 54, Applicant respectfully submits that Gabbe does not disclose or suggest receiving an indication of a plurality of annotations selected by a user, wherein each of the plurality of annotations corresponds to a media stream or to one or more media streams; and seamlessly providing, in an order which is identified by the user and can be changed by the user, one or more of, the plurality of annotations, and at least a portion of the media stream corresponding to each of the plurality of annotations as recited in claim 54. As discussed above with

respect to claim 1, there is no graphically ordering the annotations in a desired order of presentation in response to user input in Gabbe. Additionally, as discussed above with respect to claim 12, there is no ordering of annotation identifiers that can be changed by the user in Gabbe. As such, Applicant respectfully submits that Gabbe does not disclose or suggest seamlessly providing, in an order which is identified by the user and can be changed by the user, one or more of, the plurality of annotations, and at least a portion of the media stream corresponding to each of the plurality of annotations as recited in claim 54.

Thus, for at least these reasons, Applicant respectfully submits that claim 54 is allowable over Gabbe.

Regarding claim 63, Applicant respectfully submits that, similar to the discussion above regarding claim 54, Gabbe does not disclose or suggest presenting annotations of the retrieved collection to a user in an order which is input by the user and which can be changed by the user as recited in claim 63. Thus, for at least these reasons, Applicant respectfully submits that claim 63 is allowable over Gabbe.

Given that claims 55-58 and 60-62 depend from claim 54, and claims 64-67 and 70-72 depend from claim 63, Applicant respectfully submits that claims 55-58, 60-62, 64-67, and 70-72 are likewise allowable over Gabbe for at least the reasons discussed above regarding their respective independent base claims.

5. Claims 59, 68, and 69

Regarding claim 59, claim 59 depends from claim 54 and Applicant respectfully submits that claim 59 is allowable over Gabbe for at least the reasons

discussed above with respect to claim 54. Furthermore, Applicant respectfully submits that Gabbe does not disclose or suggest storing the at least a portion of the media stream corresponding to each of the plurality of annotations as a new media stream of the one or more media streams as recited in claim 59. There is no discussion whatsoever in Gabbe of storing portions of a media stream corresponding to each of a plurality of annotations as a new media stream. Nothing in Gabbe makes any disclosure or suggestion of storing such a new media stream that is based on the plurality of annotations as recited in claim 59. Thus, for at least these reasons, Applicant respectfully submits that claim 59 is allowable over Gabbe.

Regarding claim 68, claim 68 depends from claim 63 and Applicant respectfully submits that claim 68 is allowable over Gabbe for at least the reasons discussed above with respect to claim 63. Furthermore, Applicant respectfully submits that, similar to claim 59 discussed above, Gabbe does not disclose or suggest saving information regarding the media stream segments as an additional new media stream as recited in claim 68. Thus, for at least these reasons, Applicant respectfully submits that claim 68 is allowable over Gabbe.

Given that claim 69 depends from claim 68, Applicant respectfully submits that claim 69 is likewise allowable over Gabbe for at least the reasons discussed above regarding claim 68.

6. Claims 73-81

Regarding claim 73, claim 73 recites, in part:

> receiving an indication of particular user-selected annotations of a plurality of annotations, wherein each of the plurality of

annotations corresponds to a media stream or to one or more media streams; and

seamlessly providing one or more of,

the user-selected annotations, and

at least a portion of the media stream corresponding to each of the user-selected annotations.

Applicant respectfully submits that Gabbe does not disclose or suggest receiving an indication of particular user-selected annotations of a plurality of annotations, wherein each of the plurality of annotations corresponds to a media stream or to one or more media streams, and seamlessly providing one or more of the user-selected annotations and at least a portion of the media stream corresponding to each of the user selected annotations as recited in claim 73.

In the March 23 Final Office Action at page 3, it was asserted that:

> The quoted text excerpts clearly indicates that multimedia streams are divided into episodes. The episode consists of a plurality of continuous/seamless frames. The IER is associated with an episode. The annotations can be typed in an IER. Therefore IER is basically a visual annotation to the associated episode . . . Within each episode the playback is seamless.

However, Applicant respectfully submits that nothing in Gabbe discloses or suggests the ability of a user to select particular annotations from a plurality of annotations corresponding to a media stream, and then seamlessly providing those user-selected annotations and/or the portions of the media stream corresponding to those user-selected annotations. There is no mention or discussion whatsoever in Gabbe of seamlessly providing such annotations and/or portions of the media stream corresponding to such annotations. Even if each episode consists of seamless frames as asserted in the March 23 Office Action, there is no mention or discussion of playback between episodes corresponding to user-selected

annotations being seamless. As discussed above, Gabbe discloses that a user can "jump" through icons on a film strip, but there is no mention that annotations and/or portions of the media stream corresponding to such annotations are provided seamlessly when performing such jumping.

Thus, for at least these reasons, Applicant respectfully submits that claim 73 is allowable over Gabbe

Given that claims 74-81 depend from claim 73, Applicant respectfully submits that claims 74-81 are likewise allowable over Gabbe for at least the reasons discussed above regarding claim 73.

7. Claims 82-86, and 88-91

Regarding claim 82, claim 82 recites:

> A system comprising:
> an annotation database that stores one or more collections of annotations, wherein each of the annotations identifies at least a segment of a media stream; and
> an annotation module to control storage and retrieval of the plurality of annotations, wherein the annotation module is configured to perform steps comprising:
> retrieving a particular collection of annotations from the annotation database;
> presenting the annotations of the retrieved collection to a user; and
> managing sequential presentation to the user of the media stream segments corresponding to the presented annotations.

Applicant respectfully submits that Gabbe does not disclose or suggest a system as recited in claim 82.

Applicant respectfully submits that there is no disclosure in Gabbe of each of the annotations identifies at least a segment of a media stream as recited in

claim 82. As discussed above, Gabbe mentions that a user may select any IER and annotate it with text using the annotation facility. However, the mere ability to select and annotate an IER with text does not disclose or suggest an annotation that identifies at least a segment of a media stream. There is no discussion in Gabbe that any annotation that may be created by a user identifies an IER, much less identifies at least a segment of a media stream.

Furthermore, Applicant respectfully submits that there is no disclosure of an annotation database that stores one or more collections of annotations, and an annotation module to control storage and retrieval of the plurality of annotations as recited in claim 82. There is nothing in the discussion of annotating an IER that discloses such an annotation database and annotation module as recited in claim 82. Applicant respectfully submits that merely stating that an IER can be annotated with text does not provide any disclosure of a system having an annotation database and annotation module as recited in claim 82.

Thus, for at least these reasons, Applicant respectfully submits that claim 82 is allowable over Gabbe.

Given that claims 83-86 and 89-91 depend from claim 82, Applicant respectfully submits that claims 83-86 and 89-91 are likewise allowable over Gabbe for at least the reasons discussed above regarding claim 82.

8. Claim 87

Regarding claim 87, claim 87 depends from claim 82 and Applicant respectfully submits that claim 87 is allowable over Gabbe for at least the reasons discussed above with respect to claim 82. Furthermore, Applicant respectfully

submits that Gabbe does not disclose or suggest saving information regarding the media stream segments as an additional new media stream as recited in claim 87. There is no discussion whatsoever in Gabbe of storing information regarding media stream segments as an additional new media stream. Nothing in Gabbe makes any disclosure or suggestion of storing such a new media stream that saves information regarding the media stream segments corresponding to presented annotations as recited in claim 87. Thus, for at least these reasons, Applicant respectfully submits that claim 87 is allowable over Gabbe.

Given that claim 88 depends from claim 87, Applicant respectfully submits that claim 88 is likewise allowable over Gabbe for at least the reasons discussed above regarding claim 87.

Conclusion

The Office's basis and supporting rationale for the § 103(a) rejections is not supported by the teaching of the cited references. Applicant respectfully requests that the rejections be overturned and that pending claims 1-6, 12-13, and 28-91 be allowed to issue.

Respectfully Submitted,

Dated: 12/15/04

By: _____

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(8) Appendix of Appealed Claims

1. (Original) One or more computer-readable media containing a computer program for annotating streaming media, wherein the program performs steps comprising:

creating annotations interactively with a user, wherein the annotations correspond to identified segments of one or more media streams;

graphically ordering the annotations in a desired order of presentation in response to user input; and

in response to a user instruction, sequentially presenting the annotations along with their corresponding identified media stream segments in the desired order of presentation.

2. (Original) One or more computer-readable media as recited in claim 1, wherein the annotations comprise textual annotations.

3. (Original) One or more computer-readable media as recited in claim 1, wherein the media streams comprise audio/visual video streams.

4. (Original) One or more computer-readable media as recited in claim 1, wherein:

the annotations are textual annotations;

the media streams are audio/visual video streams; and

the presenting step comprises displaying the textual annotations in one display area while displaying the corresponding segments of the audio/visual streams in another display area.

5. (Original) One or more computer-readable media as recited in claim 1, the steps further comprising storing the annotations and their desired order of presentation.

6. (Original) One or more computer-readable media as recited in claim 1, the steps further comprising:

storing the annotations and their desired order of presentation; and

in response to a user request,

retrieving the stored annotations and their desired order of presentation,

displaying the retrieved annotations in their desired order of presentation, and

retrieving and presenting the media stream segments identified by the retrieved annotations, in sequential order in accordance with the desired order of presentation of the retrieved annotations.

12. (Previously presented) A method comprising:

receiving an indication of a plurality of annotations selected by a user, wherein each of the plurality of annotations corresponds to a media stream or to one or more media streams;

presenting a plurality of annotation identifiers to the user;

allowing the ordering of the plurality of annotation identifiers to be changed by the user;

seamlessly providing one or more of,

the plurality of annotations, and

at least a portion of the media stream corresponding to each of the plurality of annotations;

wherein the seamlessly providing comprises seamlessly providing the one or more of the plurality of annotations and the portion of the media stream corresponding to each of the plurality of annotations in an order defined by the order of the plurality of annotation identifiers.

13. (Original) A method as recited in claim 12, further comprising:

allowing the user to change the order of the plurality of annotation identifiers in a drag and drop manner.

28. (Original) One or more computer-readable storage media containing a program having instructions that are executable by a computer to perform steps comprising:

configuring a first portion of a user interface to display a plurality of identifiers corresponding to a plurality of annotations, the plurality of identifiers corresponding to a playlist of media segments to be seamlessly presented to a user; and

reordering the plurality of identifiers in accordance with user input to change the order in which the media segments are to be presented.

29. (Original) One or more computer-readable storage media as claimed in claim 28, the program having instructions that are executable by the computer to further perform a step comprising:

receiving the media segments from a media server in an order determined by the playlist.

30. (Original) One or more computer-readable storage media as claimed in claim 28, the program having instructions that are executable by the computer to further perform steps comprising:

receiving the media segments from a media server in an order determined by the playlist; and

presenting the media segments at the user interface in the order determined by the playlist.

31. (Original) One or more computer-readable storage media as claimed in claim 28, the program having instructions that are executable by the computer to further perform a step comprising:

allowing the user to reorder the plurality of identifiers in a drag and drop manner.

32. (Original) One or more computer-readable storage media as claimed in claim 28, the program having instructions that are executable by the computer to further perform a step comprising:

configuring a second portion of the user interface to present the plurality of annotations concurrently with the media segments.

33. (Original) One or more computer-readable storage media as claimed in claim 28, wherein each of the media segments comprises audio and video data.

34. (Previously presented) A method comprising:

graphically ordering annotations in a desired order of presentation in response to user input, wherein the annotations correspond to identified segments of one or more media streams; and

in response to a user instruction, sequentially presenting the annotations along with their corresponding identified media stream segments in the desired order of presentation.

35. (Previously presented) A method as recited in claim 34, wherein:

the annotations are textual annotations;

the media streams are audio/visual video streams; and

the presenting comprises displaying the textual annotations in one display area while displaying the corresponding segments of the audio/visual streams in another display area.

36. (Previously presented) A method as recited in claim 34, further comprising storing the annotations and the desired order of presentation.

37. (Previously presented) A method as recited in claim 36, further comprising:

in response to a user request,

retrieving the stored annotations and the desired order of presentation,

displaying the retrieved annotations in their desired order of presentation, and

retrieving and presenting the media stream segments identified by the retrieved annotations, in sequential order in accordance with the desired order of presentation of the retrieved annotations.

38. (Previously presented) A method comprising:

configuring a first portion of a user interface to display a plurality of identifiers corresponding to a plurality of annotations, the plurality of identifiers corresponding to a playlist of media segments to be seamlessly presented to a user; and

reordering the plurality of identifiers in accordance with user input to change the order in which the media segments are to be presented.

39. (Previously presented) A method as recited in claim 38, further comprising:

receiving the media segments from a media server in an order determined by the playlist; and

presenting the media segments at the user interface in the order determined by the playlist.

40. (Previously presented) A method as recited in claim 38, further comprising:

allowing the user to reorder the plurality of identifiers in a drag and drop manner.

41. (Previously presented) A method as recited in claim 38, further comprising:

configuring a second portion of the user interface to present the plurality of annotations concurrently with the media segments.

42. (Previously presented) A method comprising:

graphically ordering annotations in a desired order of presentation in response to user input, wherein the annotations correspond to identified segments of one or more media streams; and

in response to a user instruction, sequentially presenting the annotations in the desired order of presentation.

43. (Previously presented) A method comprising:

graphically ordering annotations in a desired order of presentation in response to user input, wherein the annotations correspond to identified segments of one or more media streams; and

in response to a user input, sequentially presenting the identified media segments corresponding to the annotations in the desired order of presentation.

44. (Previously presented) A system comprising:

means for configuring a first portion of a user interface to display a plurality of identifiers corresponding to a plurality of annotations, the plurality of identifiers corresponding to a playlist of media segments to be seamlessly presented to a user; and

means for reordering the plurality of identifiers in accordance with user input to change the order in which the media segments are to be presented.

45. (Previously presented) A system as recited in claim 44, further comprising:

means for receiving the media segments from a media server in an order determined by the playlist; and

means for presenting the media segments at the user interface in the order determined by the playlist.

46. (Previously presented) A system as recited in claim 44, further comprising:

means for allowing the user to reorder the plurality of identifiers in a drag and drop manner.

47. (Previously presented) A system as recited in claim 44, further comprising:

means for configuring a second portion of the user interface to present the plurality of annotations concurrently with the media segments.

48. (Previously presented) A method comprising:

creating annotations interactively with a user, wherein the annotations correspond to identified segments of one or more media streams;

graphically ordering the annotations in a desired order of presentation in response to user input; and

in response to a user instruction, sequentially presenting the annotations along with their corresponding identified media stream segments in the desired order of presentation.

49. (Previously presented) A method as recited in claim 48, wherein:

the annotations are textual annotations;

the media streams are audio/visual video streams; and

the presenting comprises displaying the textual annotations in one display area while displaying the corresponding segments of the audio/visual streams in another display area.

50. (Previously presented) A method as recited in claim 48, further comprising storing the annotations and their desired order of presentation.

51. (Previously presented) A method as recited in claim 48, further comprising:

storing the annotations and their desired order of presentation; and

in response to a user request,

retrieving the stored annotations and their desired order of presentation,

displaying the retrieved annotations in their desired order of presentation, and

retrieving and presenting the media stream segments identified by the retrieved annotations, in sequential order in accordance with the desired order of presentation of the retrieved annotations.

52. (Previously presented) A system comprising:

a processor; and

a memory configured to store a plurality of instructions for execution by the processor and that cause the system to:

create annotations interactively with a user, wherein the annotations correspond to identified segments of one or more media streams;

graphically order the annotations in a desired order of presentation in response to user input; and

in response to a user instruction, sequentially present the annotations along with their corresponding identified media stream segments in the desired order of presentation.

53. (Previously presented) A system as recited in claim 52, wherein:

the annotations are textual annotations;

the media streams are audio/visual video streams; and

the system presents the annotations by displaying the textual annotations in one display area while displaying the corresponding segments of the audio/visual streams in another display area.

54. (Previously presented) A method comprising:

receiving an indication of a plurality of annotations selected by a user, wherein each of the plurality of annotations corresponds to a media stream or to one or more media streams; and

seamlessly providing, in an order which is identified by the user and can be changed by the user, one or more of,

the plurality of annotations, and

at least a portion of the media stream corresponding to each of the plurality of annotations.

55. (Previously presented) A method as recited in claim 54, wherein the seamlessly providing comprises providing the plurality of annotations and the portions of the media streams corresponding to the plurality of annotations to a client computer for seamless presentation to a user.

56. (Previously presented) A method as recited in claim 54, wherein each of the plurality of annotations corresponds to a segment of one of the one or more media streams, each segment being less than the entire stream.

57. (Previously presented) A method as recited in claim 54, wherein the seamlessly providing comprises:

seamlessly providing the plurality of annotations concurrently with seamlessly providing at least a portion of the media stream corresponding to each of the plurality of annotations.

58. (Previously presented) A method as recited in claim 54, further comprising:

presenting a plurality of annotation identifiers to the user; and

wherein the seamlessly providing comprises seamlessly providing the one or more of the plurality of annotations and the portion of the media stream corresponding to each of the plurality of annotations in an order defined by the order of the plurality of annotation identifiers.

59. (Previously presented) A method as recited in claim 54, further comprising:

storing the at least a portion of the media stream corresponding to each of the plurality of annotations as a new media stream of the one or more media streams.

60. (Previously presented) A method as recited in claim 54, wherein each of the plurality of annotations comprises one or more of audio data and text data.

61. (Previously presented) A method as recited in claim 54, wherein each of the one or more media streams comprises audio and video data.

62. (Previously presented) A computer-readable memory containing a computer program that is executable by a computer to perform the method recited in claim 54.

63. (Previously presented) A system comprising:

an annotation database that stores one or more collections of annotations, wherein each of the annotations identifies at least a segment of a media stream; and

an annotation module to control storage and retrieval of the plurality of annotations, wherein the annotation module is configured to perform steps comprising:

retrieving a particular collection of annotations from the annotation database;

presenting the annotations of the retrieved collection to a user in an order which is input by the user and which can be changed by the user; and

managing sequential presentation to the user of the media stream segments corresponding to the presented annotations.

64. (Previously presented) A system as recited in claim 63, wherein the annotation module is further configured to perform a step of communicating with a client computer to provide indications of the plurality of annotations to the client computer for display to the user.

65. (Previously presented) A system as recited in claim 64, wherein the indications of the plurality of annotations comprise summary information for each of the plurality of annotations.

66. (Previously presented) A system as recited in claim 64, wherein each of the plurality of annotations corresponds to an annotation set, and wherein the annotation module is further configured to perform a step of providing the annotation set information to the client computer.

67. (Previously presented) A system as recited in claim 63, wherein each of the media stream segments comprises audio and video data.

68. (Previously presented) A system as recited in claim 63, wherein the annotation module is further configured to perform a step of saving information regarding the media stream segments as an additional new media stream.

69. (Previously presented) A system as recited in claim 68, wherein the information regarding each of the media stream segments comprises an identifier of a media stream of which the media segment is a part, a temporal location in the media stream identifying where the media segment begins, and a temporal location in the media stream identifying where the media segment ends.

70. (Previously presented) A system as recited in claim 63, further comprising:

a client computer, coupled to the annotation module, configured to receive the media stream segments and present the media stream segments to the user.

71. (Previously presented) A system as recited in claim 70, further comprising:

a media server, coupled to the annotation module, having access to a plurality of media streams, the media server configured to provide at least a portion of the plurality of media streams to the client computer as the media stream segments.

72. (Previously presented) A system as recited in claim 63, wherein each of the plurality of annotation identifiers corresponds to a single media stream of the plurality of media streams.

73. (Previously presented) A method comprising:

receiving an indication of particular user-selected annotations of a plurality of annotations, wherein each of the plurality of annotations corresponds to a media stream or to one or more media streams; and

seamlessly providing one or more of,

the user-selected annotations, and

at least a portion of the media stream corresponding to each of the user-selected annotations.

74. (Previously presented) A method as recited in claim 73, wherein the seamlessly providing comprises providing the user-selected annotations and the portions of the media streams corresponding to the user-selected annotations to a client computer for seamless presentation to a user.

75. (Previously presented) A method as recited in claim 73, wherein each of the plurality of annotations corresponds to a segment of one of the one or more media streams, each segment being less than the entire stream.

76. (Previously presented) A method as recited in claim 73, wherein the seamlessly providing comprises:

seamlessly providing the user-selected annotations concurrently with seamlessly providing at least a portion of the media stream corresponding to each of the user-selected annotations.

77. (Previously presented) A method as recited in claim 73, further comprising:

presenting a plurality of annotation identifiers to the user; and

wherein the seamlessly providing comprises seamlessly providing the one or more of the user-selected annotations and the portion of the media stream corresponding to each of the user-selected annotations in an order defined by the order of the plurality of annotation identifiers.

78. (Previously presented) A method as recited in claim 73, further comprising:

storing the at least a portion of the media stream corresponding to each of the user-selected annotations as a new media stream of the one or more media streams.

79. (Previously presented) A method as recited in claim 73, wherein each of the plurality of annotations comprises one or more of audio data and text data.

80. (Previously presented) A method as recited in claim 73, wherein each of the one or more media streams comprises audio and video data.

81. (Previously presented) A computer-readable memory containing a computer program that is executable by a computer to perform the method recited in claim 73.

82. (Previously presented) A system comprising:

an annotation database that stores one or more collections of annotations, wherein each of the annotations identifies at least a segment of a media stream; and

an annotation module to control storage and retrieval of the plurality of annotations, wherein the annotation module is configured to perform steps comprising:

retrieving a particular collection of annotations from the annotation database;

presenting the annotations of the retrieved collection to a user; and

managing sequential presentation to the user of the media stream segments corresponding to the presented annotations.

83. (Previously presented) A system as recited in claim 82, wherein the annotation module is further configured to perform a step of communicating with a client computer to provide indications of the plurality of annotations to the client computer for display to the user.

84. (Previously presented) A system as recited in claim 83, wherein the indications of the plurality of annotations comprise summary information for each of the plurality of annotations.

85. (Previously presented) A system as recited in claim 83, wherein each of the plurality of annotations corresponds to an annotation set, and wherein the annotation module is further configured to perform a step of providing the annotation set information to the client computer.

86. (Previously presented) A system as recited in claim 82, wherein each of the media stream segments comprises audio and video data.

87. (Previously presented) A system as recited in claim 82, wherein the annotation module is further configured to perform a step of saving information regarding the media stream segments as an additional new media stream.

88. (Previously presented) A system as recited in claim 87, wherein the information regarding each of the media stream segments comprises an identifier of a media stream of which the media segment is a part, a temporal location in the media stream identifying where the media segment begins, and a temporal location in the media stream identifying where the media segment ends.

89. (Previously presented) A system as recited in claim 82, further comprising:

a client computer, coupled to the annotation module, configured to receive the media stream segments and present the media stream segments to the user.

90. (Previously presented) A system as recited in claim 89, further comprising:

a media server, coupled to the annotation module, having access to a plurality of media streams, the media server configured to provide at least a portion of the plurality of media streams to the client computer as the media stream segments.

91. (Previously presented) A system as recited in claim 82, wherein each of the plurality of annotation identifiers corresponds to a single media stream of the plurality of media streams.